THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.247 of 2007

Dated: 04.01.2007

Between:

N. Chandra Shekar Rao and others.

..... PETITIONERS

AND

Smt. Kotha Jananamma @ Janamma and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.247 of 2007

ORDER:

The petitioners allegedly purchased land admeasuring Acs.2.07 guntas in survey No.215 situated at Kondapur Village of Serilingampally Mandal in Ranga Reddy District under a registered sale deed dated 27.03.1995 from respondent No.1. However, it appears that respondent No.1 filed a suit, being O.S.No.541 of 2001, on the file of the Court of the Junior Civil Judge (South & West), Ranga Reddy District, for permanent injunction, which suit is still pending. In the meanwhile, respondent No.1 preferred an appeal before respondent No.5, namely, the Revenue Divisional Officer (RDO), under Section 5(5) of the of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (the Act, for brevity) challenging order of respondent No.6, namely, the Mandal Revenue Officer (MRO) ordering mutation/entries in favour of the petitioners. The same was dismissed by RDO on 21.10.2002. As against the same, respondent No.1 preferred a revision petition before the Joint Collector, Ranga Reddy District. The same was allowed on 02.04.2005. Aggrieved by the same, the petitioners filed W.P.No.10506 of 2005. However, the same was dismissed on 20.06.2005 as withdrawn with liberty to the petitioners to file a comprehensive suit. The petitioners then filed O.S.No.157 of 2005 on the file of the Court of I Additional District Judge, Ranga Reddy District, for declaration of title and injunction. They statedly obtained *ad interim* injunction in I.A.No.1282 of 2005. Be that as it is, pursuant to the order of the Joint Collector dated 02.04.2005, MRO issued a notice dated 06.05.2005. The petitioners allege that without conducting enquiry, MRO by order dated 07.06.2005, cancelled mutation in favour of the petitioners. Therefore, they preferred an appeal under Section 5(5) of the Act before RDO against order of MRO dated 07.06.2005. The same was dismissed on 09.11.2006. The petitioners again preferred a revision petition before the Joint Collector on 15.12.2006 along with an application for suspension of the order of MRO dated 07.06.2005. Alleging that the Joint Collector did not pass any orders on the application for suspension of the order of MRO dated 07.06.2005, instant writ petition is filed. The petitioners seek a further direction to the Revisional Authority to dispose of the revision petition expeditiously.

The matter is heard in the morning session today. The same was passed over to enable the learned Assistant Government Pleader for Revenue (General-T) for getting instructions. After getting instructions, the learned Government Pleader submits that the revision petition filed by the petitioners has not been numbered and is being scrutinised. He also submits that as and when scrutiny is completed and the revision

petition is registered, the Joint Collector would pass appropriate orders within one week. The same is recorded and the writ petition is disposed of directing the revisional authority to pass appropriate orders in the application filed by the petitioners seeking suspension of the order of MRO dated 07.06.2005 within one week from the date of receipt of a copy of this order.

The writ petition, with the above observations and direction, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

04th January, 2007
ghn